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March 9, 2022

The Honorable Dolores G. Kelley  
Chair, Senate Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

**Re: Letter of Information – Senate Bill 880 – Safe Access for All (SAFE) Roads Act of 2022**

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 880 but offers the following information for the Committee’s consideration.

Senate Bill 880 requires the MDOT State Highway Administration (MDOT SHA) to make recommendations and implement context-driven design elements, implement all possible incremental improvements when a project is projected to take more than 12 months to complete, conduct analyses at specific locations and studies that identify road characteristics, ensure improvements are consistent with Vision Zero, and report staffing and vacancy information, as well as complete a comprehensive report on the analyses and studies conducted. The bill would also mandate appropriations of the various MDOT SHA System Preservation fund categories.

Many of the requirements outlined in Senate Bill 880 are already being conducted by the MDOT SHA. For example, all recommendations and implemented improvements are guided by context-driven design elements. Similarly, the MDOT SHA currently performs infrastructure reviews, and the timing of these are largely dependent on when MDOT SHA receives notice from law enforcement that a fatality has occurred on the State’s network. Maryland’s Vision Zero Program is a State-wide initiative that includes State, county, and municipal level transportation agencies. Vision Zero consists of six elements including infrastructure, distracted driving, impaired driving, occupant protection, pedestrians, and aggressive driving. When the MDOT SHA makes recommendations and implements improvements, all elements of Vision Zero are considered.

In order to achieve the required funding levels outlined in Senate Bill 880 for the five minor system preservation categories, the MDOT SHA would require \$294.5 million in additional funding for FY 2024-2027 and \$245 million dollars for FY 2028. Senate Bill 880 does not propose a new funding or revenue source; therefore, funds would need to be shifted from previously programmed projects. The MDOT currently budgets funds on a six-year timeframe and outlines total funds and projects in the Consolidated Transportation Program (CTP). The CTP is established after extensive consultation with Maryland’s citizens, local jurisdictions and the local and State delegations, and those projects that preserve transportation system investments, enhance transportation services, and expand transportation opportunities throughout the State are added to the CTP.

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A strength of the CTP is the flexibility to move funds in order meet certain demands and the MDOT requires this flexibility without the restrictions of mandated appropriations. This flexibility allows for the ability to program system preservation projects based on a data driven approach to keep our State-wide infrastructure in a state of good repair based on the greatest needs. While the system preservation needs of MDOT SHA are important, they must be considered in the context of MDOT's need to maintain critical infrastructure across Maryland's entire transportation system, including transit, port, and airport facilities.

Additionally, in light of the recently passed federal surface transportation reauthorization known as the Infrastructure Investment and Jobs Act (IIJA), more State dollars will need to be used as a match to access this influx of federal funds. While the MDOT is awaiting federal rulemaking and a congressional appropriations authorization to be able to access these new funds, every effort should be made to provide flexibility for the MDOT to have State funds available to use as leverage to receive this funding increase.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 880.

Sincerely,

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